

**REMARKS**

The present amendment is in response to the Office action dated April 4, 2007, where the Examiner has rejected claims 1-24 under 35 U.S.C. 103(a). In the present amendment, claims 1-8 and 10-24 have been amended. Accordingly, claims 1-24 are pending in the present application with claims 1, 10, and 17 being the independent claims. Reconsideration and allowance of pending claims 1-24 in view of the amendments and the following remarks are respectfully requested.

**35 USC §103(a) (Claims 1-8, 10-15, 17, 18, and 20-24; Yamamoto/Lee)**

In the Office Action, claims 1-8, 10-15, 17, 18, and 20-24 have been rejected under 35 U.S.C. 103(a) as obvious with respect to Yamamoto in view of Lee. This rejection is traversed because the combination of the cited references does not achieve the claimed invention.

In regard to claims 1, 10, and 17, the combination of the cited references does not achieve a wireless communication device including, among other things, at least one external key capable of being activated for selecting a directory of call recipients and for selecting one of the call recipients when the second housing portion is arranged in the first closed position. In contrast, Lee discloses "E-mail", "Connection", and "Bookmark" menu items (FIG. 2B) when the bottom portion of the flip phone is closed.

In regard to claims 2, 11, and 18, the combination of the cited references does not achieve a wireless communication device wherein the first housing portion defines a first plane and further includes an interior surface, wherein the second housing portion defines a second plane parallel with the first plane and covers the interior surface of the

first housing portion when the second housing portion is arranged in the closed position and rotates about an axis perpendicular to the first plane and the second plane while maintaining a parallel relationship with the first housing portion uncovering the interior surface of the first housing portion when the second housing portion is arranged in the open position. In contrast, Yamamoto discloses a second housing member slidably disposed relative to a first housing member and Lee discloses a flip-phone design.

In regard to claim 3, the combination of the cited references does not achieve a wireless communication device wherein the first housing portion includes an exterior bottom surface with a microphone capable of receiving acoustic signals when the second housing portion is arranged in the closed position. In contrast, both Yamamoto and Lee disclose microphones on the front of the first housing member.

In regard to claims 4 and 20, the combination of the cited references does not achieve a wireless communication device wherein the second exterior surface of the second housing portion includes a speaker capable of generating acoustic signals when the second housing portion is arranged in the closed position, the speaker located adjacent to the microphone when the second housing portion is arranged in the closed position and located at an opposite end of the wireless communication device when the second housing portion is arranged in the open position. In contrast, Yamamoto discloses a second housing member slidably disposed relative to a first housing member (speaker maintains its relative position during slidable movement of the second housing member) and Lee discloses a flip-phone design (speaker stays in fixed position).

In regard to claims 5, 12, and 21, the combination of the cited references does not achieve a wireless communication device wherein the at least one external key is further capable of being activated for selecting a first directory of all call recipients and a second directory of call recipients capable of receiving single-duplex calls. In contrast, Yamamoto does not discuss single-duplex calling or directories related to single-duplex call recipients and all call recipients. Similarly, Lee does not mention single-duplex calling nor directories related to single-duplex call recipients and all call recipients.

In regard to claims 6, 13, and 22, the combination of the cited references does not achieve a wireless communication device wherein the at least one external key is a single multi-state key. In contrast, neither of the cited references discuss a single multi-state key capable of being activated by a user when the second housing portion is arranged in the closed position for defining a call recipient and for initiating a call to the call recipient, and further capable of being activated for selecting a directory of call recipients and for selecting one of the call recipients.

In regard to claims 7, 14, and 23, the combination of the cited references does not achieve a wireless communication device wherein the wireless communication device is capable of sending and receiving both single-duplex and full-duplex calls when the second housing portion is arranged in the closed position. In contrast, Yamamoto and Lee do not discuss single duplex calling, especially with the second housing portion in the closed position.

In regard to claims 8, 15, and 24, the combination of the cited references does not achieve a wireless communication device wherein the at least one external key is a single key capable of being activated for both selecting a directory of call recipients and

for selecting one of the call recipients. In contrast, neither of the cited references discuss a single key capable of being activated by a user when the second housing portion is arranged in the closed position for defining a call recipient and for initiating a call to the call recipient, and further capable of being activated for selecting a directory of call recipients and for selecting one of the call recipients.

Accordingly, Yamamoto in view of Lee does not disclose the present claims. Thus, the proposed combination does not disclose all of the limitations of claims 1-8, 10-15, 17, 18, and 20-24. Since the combination of references does not include all the limitations of the cited claims, Applicants respectfully request that this rejection be withdrawn.

**35 USC §103(a) (Claims 9, 16, and 19; Yamamoto/Lee/Lonka)**

In the Office Action, claims 9, 16, and 19 have been rejected under 35 U.S.C. 103(a) as obvious with respect to Yamamoto in view of Lee and further in view of Lonka. This rejection is traversed because the combination of the cited references does not achieve the claimed invention.

In regard to claim 9, Applicants traverse this rejection for the reason set forth above with respect to claim 1. Further, the combination of the cited references does not achieve a wireless communication device wherein the call is a single-duplex communication call. In contrast, Yamamoto and Lee do not discuss single duplex calling, especially with the second housing portion in the closed position. Although Lonka discloses a duplex switch, Lonka does not specify wherein the call is a single-duplex communication call.

In regard to claim 16, the combination of the cited references does not achieve a wireless communication device wherein the second exterior surface of the second housing portion includes a speaker capable of generating acoustic signals when the second housing portion is arranged in the closed position, the speaker located adjacent to the microphone when the second housing portion is arranged in the closed position and located at an opposite end of the wireless communication device when the second housing portion is arranged in the open position. In contrast, Yamamoto and Lonka disclose a second housing member slidably disposed relative to a first housing member (speaker maintains its relative position during slidable movement of the second housing member) and Lee discloses a flip-phone design (speaker stays in fixed position).

In regard to claim 19, the combination of the cited references does not achieve a wireless communication device wherein the first housing portion includes an exterior bottom surface with a microphone capable of receiving acoustic signals when the second housing portion is arranged in the closed position. In contrast, Yamamoto, Lee, and Lonka disclose microphones on the front of the first housing member.

Accordingly, Yamamoto in view of Lee and in further view of Lonka does not disclose the present claims. Thus, the proposed combination does not disclose all of the limitations of claims 9, 16, and 19. Since the combination of references does not include all the limitations of the cited claims, Applicants respectfully request that this rejection be withdrawn.

**Conclusion**

For all the foregoing reasons, an early allowance of claims 1-24 pending in the present application is respectfully requested. Applicant respectfully does not acquiesce to any of the positions set forth in the Office Action of April 4, 2007. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

Dated: June 6, 2007

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